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COMMITTEE ON THE RIGHTS OF THE CHILD

First session

SUMMARY RECORD OF THE 9th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 4 October 1991, at 10 a.m.

Chairman: Mrs. BADRAN

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Organization of work

Adoption of the rules of procedure (continued)

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GE.91-17701/1832H

The meeting was called to order at 10.25 a.m.

ORGANIZATION OF WORK

The CHAIRMAN recalled that the Committee had already adopted rule 27 of the rules of procedure, which provided that its working languages would be identical to its official languages. The secretariat was investigating the financial implications of that rule and of rule 31 on the languages of the Committee's documentation. She therefore suggested that the Committee should consider those two rules at the end of its session, when it would have an opportunity to review the entire body of rules of procedure it had adopted.

It was so decided.

The CHAIRMAN announced that the secretariat had prepared a draft programme of work for the remainder of the Committee's first session. That programme would be:

Friday, 4 October: Completion of initial consideration of the rules of procedure (agenda item 4)

Monday, 7 October, and Tuesday, 8 October: Consideration of the Committee's guidelines for reports to be submitted by States parties (agenda item 7)

Wednesday, 9 October: General discussion of the provisions of the Convention

Thursday, 10 October: Cooperation with specialized agencies, the United Nations Children's Fund and other United Nations organs (agenda item 8)

Friday, 11 October: Cooperation with other competent bodies (agenda item 9)

Monday, 14 October: Future meetings of the Committee and other matters (agenda items 10 and 11)

Tuesday, 15 October, and Wednesday, 16 October: Final consideration and adoption of the rules of procedure (agenda item 4)

Thursday, 17 October, and Friday, 18 October: Any other business.

Mr. KOLOSOV noted that the question of the adoption of a report was signficantly absent from the programme of work: was there to be no report on the work of the current session?

Mrs. KLEIN (Centre for Human Rights) said the Committee would normally submit a report to the General Assembly every two years, but, if it wished, it could transmit a preliminary report or make recommendations to the General Assembly at the end of its current session.

Mrs. SANTOS PAIS thanked Mr. Kolosov for raising an important point. She believed that it would be useful for the Committee to communicate to the

General Assembly, which would soon begin discussing human rights matters, a number of basic concerns and, in particular, its desire to hold two sessions, not one, every year.

Mr. HAMMARBERG said that he also welcomed the comments made by Mr. Kolosov. It was important for the Committee to indicate to the General Assembly that it had started its work and had already encountered specific problems. For example, it had reached the conclusion that it could not cope with its tasks unless it was authorized to hold two sessions a year. It might also be useful to consider requesting the General Assembly to have a study carried out on some subject of concern to the Committee which could then be made available at its next session.

Mr. KOLOSOV proposed that, in view of the comments by the other members, the Committee should adopt a report on the work of its first session. The report should cover such items as the election of the Chairman and the Bureau, the adoption of the rules of procedure, the work on the guidelines for reports and the Committee's ideas on cooperation with other bodies and on the timing for future meetings.

Mrs. BELEMBAOGO said that she endorsed that proposal and suggested that a group of volunteers, of which she would be one, should assist the Rapporteur in preparing the report.

Mrs. EUFEMIO said that she, too, endorsed the proposal for preparation of a report, which might serve the additional purpose of communicating to States parties the guidelines the Committee would adopt. That was important because the first group of States parties would be submitting their reports in September 1992.

Mrs. KLEIN (Centre for Human Rights) pointed out that the secretariat would transmit the guidelines, together with a note verbale from the Secretary-General, to all States parties whose reports were due in 1992 as soon as those guidelines were adopted. States parties would therefore not be dependent solely on the report for the guidelines.

Mr. HAMMARBERG said that, to avoid duplication of efforts, the Rapporteur should meet with secretariat staff to coordinate work on the report.

Mrs. KLEIN (Centre for Human Rights) said the secretariat was always ready to assist the Committee and its Rapporteur and would be glad to take part in the work on the draft report.

If the Committee wished to ensure timely submission of its report to the General Assembly, it should keep it as brief as possible, to facilitate translation and reproduction.

Mr. KOLOSOV said that the Committee's programme of work should be revised to include a day for the discussion and adoption of the draft report.

Mrs. KLEIN (Centre for Human Rights) explained that the secretariat, in accordance with its usual practice, would make copies of the draft report

available on Wednesday, 16 October, with a view to discussion on Thursday, 17 October. It might be possible to adopt the report on that date, but, if not, Friday, 18 October, could be scheduled for that purpose.

Mgr. BAMBAREN GASTELUMENDI suggested that the discussion of agenda item 10 on the Committee's future meetings should be held during the second, not the third, week of the session.

Mrs. KLEIN (Centre for Human Rights) said that no decision could be taken on that item until the secretariat had contacted the Conference Services Division to determine the dates on which that Division could accommodate meetings of the Committee.

Replying to a comment by Mr. HAMMARBERG, she said the secretariat could immediately start looking into the availability of meetings servicing facilities, but any scheduling would be contingent on approval by the General Assembly of the proposal that the Committee should hold two sessions every year.

Mr. KOLOSOV asked whether it would not be possible to schedule the discussion of agenda item 10 for Friday, 11 October, rather than for Monday, 14 October.

The CHAIRMAN said that, if there was no objection, she would take it that the Committee agreed to change the date on which it was to discuss agenda items 9 and 10 to Friday, 11 October 1991.

It was so decided.

Mr. HAMMARBERG said that, during the Committee's general discussion of the provisions of the Convention, scheduled for Wednesday, 9 October, it might be useful to focus on the idea of requesting a study from the General Assembly in an area of particular concern to the Committee.

The CHAIRMAN said that, if she heard no objection, she would take it that the programme of work, as amended, was adopted.

It was so decided.

Mrs. SANTOS PAIS recalled that, at its informal meeting in May 1991, the Committee had discussed two documents concerning contacts between the Centre for Human Rights and the agencies and organs of the United Nations system in January 1991 and between the Centre and non-governmental organizations in May 1991. She requested that those documents should be made available at the current session, as official Committee documents, if possible.

The CHAIRMAN said that the secretariat would be asked to take the necessary measures.

Mgr. BAMBAREN GASTELUMENDI said that it was not clear whether the Committee would be able to hold two sessions in 1992.

Mr. HAMMARBERG said that the question of dates would depend on an indication from the General Assembly that, in principle, two sessions could be held. He was nevertheless certain that, in view of the great interest shown in the Committee's work, it would be possible to make preliminary plans for the holding of two sessions in 1992.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 4) (CRC/C/L.1) (continued)

Mgr. BAMBAREN GASTELUMENDI recalled that, at the informal meeting held in May 1991, it had been recommended that, as a new body, the Committee should not adopt the rules of procedure on a definitive basis at its first session and should retain the word "provisional" in the title of the rules of procedure. He proposed that the rules of procedure should continue to be regarded as provisional for the time being.

Mrs. KLEIN (Centre for Human Rights), referring to the proposal by Mgr. Bambaren Gastelumendi, said that, if the Committee decided to retain the word "provisional", that would give it more flexibility in the conduct of its discussions.

The CHAIRMAN said that, if she heard no objection, she would take it that the Committee decided to retain the word "provisional" in the title of the rules of procedure.

It was so decided.

Rule 33 (continued)

The CHAIRMAN drew attention to the proposal that rule 33 should be retained as it stood.

Mrs. SANTOS PAIS said that, in the second line of rule 33, the word "body" should be replaced by the word "bodies". She also thought that the last part of rule 33 was already covered by the first part and that the sentence could end with the words "general public".

The CHAIRMAN said that, if she heard no objection, she would take it that the Committee decided to adopt rule 33, as amended.

It was so decided.

Rule 33, as amended, was adopted.

Section XIV (continued)

The CHAIRMAN drew attention to the proposal that the heading of section XIV should be amended to read: "REPORTS OF THE COMMITTEE".

Mr. KOLOSOV suggested that the side heading "Biennial report" should be amended to read "Biennial reports".

Mrs. SANTOS PAIS proposed that the side heading should be amended to read "Biennial reports to the General Assembly" because, in rule 64, the Committee was considering only reports to the General Assembly.

The CHAIRMAN said that, if she heard no objection, she would take it that the Committee decided to adopt the new heading of section XIV and the side heading, as amended.

It was so decided.

Rules 64 and 64 bis (continued)

The CHAIRMAN said that it had been proposed that rule 64 should be retained as it stood.

Mr. HAMMARBERG said that, as a result of the informal consultations which had been held, he proposed the following new text of rule 64 bis: "The Committee or its subsidiary bodies may issue other reports on its activities for general distribution. The Committee may also issue reports in order to highlight specific problems in the field of the rights of the child".

In reply to a question by Mrs. EUFEMIO, he said that the second sentence meant that reports would be issued for general distribution highlighting specific problems in the field of the rights of the child.

Mrs. SANTOS PAIS, supported by Mr. MOMBESHORA, proposed that the words "for general distribution" should be added after the word "reports" in the second sentence.

It was so decided.

Mr. KOLOSOV said that rule 64 should provide for the possibility that the Committee could submit interim reports to the General Assembly if urgent matters arose.

Mr. HAMMARBERG explained that the purpose of rule 64 bis was to enable the Committee to prepare reports other than the biennial ones referred to in the Convention without being overly rigid. Thus, the Committee might issue one report after each session and one interim report annually, in addition to its report to the General Assembly every two years. That might sound a bit overwhelming, but in fact each report would build on the previous one. The Committee would also have the possibility of issuing reports on specific problems. In his view, rule 64 bis met Mr. Kolosov's concern without binding the Committee.

Mr. KOLOSOV said that he had no objection to rule 64 bis, but that the Committee's reports to the General Assembly had a special status. If rule 64 did not include words to the effect that the Committee "may decide to submit interim reports to the General Assembly", a formula which would not bind it, then the Assembly would have no grounds for including consideration of the interim report in its agenda.

Mrs. SANTOS PAIS said she agreed that there was a need for interim reports; the 64 bis approach provided for that possibility. However, she wondered whether the General Assembly would feel bound by a decision of the Committee to submit reports not specifically mentioned in the Convention. She also noted that the submission of reports to the General Assembly through the Economic and Social Council was a very restrictive process.

Mrs. EUFEMIO said that the need for interim reports to be submitted to the General Assembly through the Economic and Social Council should be clearly established in the rules of procedure.

Mr. HAMMARBERG noted that the reason for biennial reports was to limit paperwork and reduce the workload of the representatives to the General Assembly. There was a recent trend in the General Assembly towards the biennial consideration of agenda items. However, that did not mean that the Committee could not submit extra communications if it so wished. It might be preferable for the Committee not to bind itself at the current stage, but to adopt rule 64 bis and perhaps reconsider it at the following session in the light of its experience with the Third Committee.

Mr. KOLOSOV pointed out that rule 64 referred to the Committee's official reports to the General Assembly, and, together with the Convention, bound the Economic and Social Council and the General Assembly. That was why he had suggested that wording providing for interim reports should be added to rule 64.

The CHAIRMAN said the members appeared to agree that the Committee was entitled to submit reports in addition to those formally requested in the Convention. If rule 64 was amended to include the possibility of interim reports, she was not sure whether the General Assembly would be bound to consider them.

Mrs. KLEIN (Centre for Human Rights) said the Committee was free to change its rules of procedure to provide for the possibility of interim reports. However, if the trend in the General Assembly was towards the biennial consideration of agenda items, such a change might not have the desired effect. In any event, there would always be a way for the Committee to make itself heard by the General Assembly on urgent matters. It might therefore wish to adopt rule 64 as it stood, perhaps changing it later on as a result of its experience with the General Assembly.

The CHAIRMAN reminded the members that they would have the possibility of considering the rules of procedure on second reading. If she heard no objection, she would take it that the Committee adopted rule 64 as it stood.

It was so decided.

Rule 64 was adopted.

The CHAIRMAN said that, if she heard no objection, she would take it that the Committee adopted rule 64 bis, as amended.

It was so decided.

Rule 64 bis, as amended, was adopted.

Proposed new rules

Mr. HAMMARBERG proposed that the following new rule should be included under a new section XV bis, to be headed "General discussion": "In order to enhance a deeper understanding of the content and implications of the Convention, the Committee will devote one day of its regular sessions to a general discussion on one specific article or subject on the Convention".

Mr. KOLOSOV suggested that the text might be included in section II as the second paragraph of rule 6.

Mr. HAMMARBERG said that inclusion of the proposed text in rule 6 would mean that other provisions relating to the content of the agenda should also be included in the same rule. He would therefore prefer the text to be placed where he had originally suggested.

Mrs. SANTOS PAIS said that rule 6 as it stood was general, not specific. She suggested that a final decision on where to place the new text might be taken at a later stage.

Miss MASON said that she supported Mr. Kolosov's suggestion that the text should be included in section II, but thought that it should be a separate rule.

The CHAIRMAN said that, if she heard no objection, she would take it that the members of the Committee decided that the text should be included in a new section XV bis pending a final decision on its position.

It was so decided.

Mr. HAMMARBERG proposed that the following new rule should be added to section II: "Concerned that reports submitted by States parties pursuant to article 44 should be considered by the Committee in the most timely manner possible, the Committee will endeavour to include in its agenda for each session all reports received by the Secretariat sufficiently in advance of the session to allow for the necessary processing of the reports and the adequate notification of the States parties concerned".

The purpose of such a rule was to establish a principle and to ensure practical measures by which to uphold that principle. The intention was to avoid a backlog in the consideration of reports submitted by States parties, since a failure to consider reports in a timely manner would undermine the Committee's credibility. By including in the agenda all reports received, for

example, two months prior to the beginning of the session, the Committee could be aware of any possibility of a backlog and take the appropriate steps, such as a special session or other emergency measure.

Mrs. SANTOS PAIS said she agreed that ways of dealing with such a situation could either be provided for in the form of a new rule or included as one of the methods of work of the Committee. She asked whether a list of all reports submitted could be made available prior to each session.

Mrs. KLEIN (Centre for Human Rights) said that the secretariat could provide a list of the reports received and the stage reached in their processing. It would, however, be difficult to determine accurately and in advance how long processing would take, as it would depend on the length of reports and the workload of the translation services. It should also be borne in mind that States parties had to be notified some months in advance that their reports were to be considered at the next session.

Mr. KOLOSOV pointed out that, as 97 States had ratified the Convention, the Committee could expect to receive a large number of reports in the next two or three years, even if not all States parties complied with their reporting obligations immediately. Estimating an average of two days' discussion for each report, the consideration of 100 reports would take 200 working days or 40 working weeks. If sessions lasted four weeks each year, the 100th report would be considered at the earliest in some 10 years' time.

Mr. HAMMARBERG said that, of the three possible stages at which delays in the Committee's work might occur - the submission of reporrts by States parties, the processing of reports and their consideration by the Committee - the third was crucial. The principle should therefore be clearly established that reports should not be deferred repeatedly because of the lack of time available to the Committee.

The CHAIRMAN said that the matter would require further discussion.

The meeting rose at 1.10 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

First session

SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 7 October 1991, at 10 a.m.

Chairman: Mrs. BADRAN

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Matters relating to the Committee's methods of work in respect of the consideration of reports to be submitted by States parties in accordance with article 44 of the Convention

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The meeting was called to order at 10.15 a.m.

MATTERS RELATING TO THE COMMITTEE'S METHODS OF WORK IN RESPECT OF THE CONSIDERATION OF REPORTS TO BE SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLE 44 OF THE CONVENTION (agenda item 7) (CRC/C/L.2 and HRI/1991/1)

Mrs. SANTOS PAIS said that it was important for the Committee to hold a general discussion of the purpose of the reporting procedure, taking into account the experience of other treaty bodies and relevant studies. The approach envisaged for the submission of reports to the Committee should be enlightened and at the same time clearly explained so that States parties could fully understand its purpose.

Mrs. EUFEMIO requested clarifications concerning information to be provided on the basis of the consolidated guidelines (HRI/1991/1) and the possibility of requesting additional information which might serve as a basis for subsequent discussions in the Committee.

Mrs. KLEIN (Representative of the Secretary-General) said that the consolidated guidelines were intended to avoid placing an unnecessary burden on States parties to one or more treaties by requesting them to submit a single general report which would be transmitted to the secretariat and made available to the treaty bodies concerned for consideration at the appropriate time.

Mr. HAMMARBERG said that, as the preparation of reports was a burden for States parties, particularly those with relatively small administrations, it was necessary, if the reporting system was to be effective, to seek ways of ensuring that reporting requirements did not become overwhelming. In that connection, he fully supported the idea of consolidation.

It had been repeatedly stated that a new type of reporting process was being sought in the context of the Convention so that the consideration of the reports of States parties would be more constructive and problems and solutions to those problems could be jointly defined. It was also considered important that the process should be open, with the Government concerned having the responsibility of ensuring that the public was informed about the Convention, and that efforts should be made to ensure that reports were the outcome of general discussion and could help national authorities carry out a thorough review of the situation in their country. There had to be a combination of strict compliance with the provisions of the Convention and constructive dialogue.

Mr. KOLOSOV suggested that the consolidated guidelines contained in document HRI/1991/1 should be included in the Committee's guidelines, particularly for the benefit of States parties which had not yet submitted an initial report to another treaty body.

Referring to paragraph 1 of the consolidated guidelines, he said that the request for information on the population under 15 years of age was not specific enough for the Committee's purposes and should be supplemented by a request for more detailed information.

Mrs. BELEMBAOGO said that the reporting process should be helpful to States parties by indicating ways in which they could improve working methods, where appropriate, with the benefit of international cooperation. In developing countries in particular, statistics relating to the situation of children were often lacking or inadequate and reporting procedures should therefore help to promote greater awareness of the need for an accurate assessment of the situation.

Mrs. SANTOS PAIS said that the guidelines should be seen as a means by which to facilitate reporting and avoid duplication of effort, while ensuring uniformity and harmonization of the information transmitted to the Committee. Reporting procedures should provide an opportunity for State parties to monitor their policies on a regular basis and focus on areas where further action was required. It was also important that there should be public scrutiny of national measures and meaningful popular participation in the process of data collection and monitoring. Such elements might be included in the note verbale to be sent by the secretariat to the States parties concerned.

The consolidated guidelines were very important for facilitating the task of States parties. In that connection, she asked whether a specific procedure had been established to ensure that information provided in response to the guidelines was regularly updated.

Mrs. KLEIN (Representative of the Secretary-General) said that the consolidated guidelines had been sent to States parties in April 1991 and that States parties had been requested to submit information on the basis of those guidelines by the end of the year. When States parties had updated information to provide, they should transmit it to the secretariat, which would then circulate it to the treaty bodies concerned. If the Committee considered that information in addition to or in greater detail than that requested in the consolidated guidelines was required in accordance with the provisions of the Convention, it could naturally make that clear in its own guidelines.

The CHAIRMAN said that the reporting process should be a means of establishing an open dialogue for the purpose of improving the situation of children. At the same time, reports should provide factual information on realities at the national level. Where it was considered necessary in the context of the Convention to have more detailed information than that requested in the consolidated guidelines, that should be made clear in the guidelines relating specifically to the Committee's work.

Mr. KOLOSOV said that, in its note on statistical indicators, the secretariat had offered to produce a compilation of statistics from States parties and other sources. He would welcome more information on that proposal: would there be one document covering various States or separate ones for individual States?

Mrs. KLEIN (Representative of the Secretary-General) said the secretariat had prepared a sample compilation in which some of the information was country-related, and some not. If the Committee believed it would be helpful, the secretariat could make the document available.

Mgr. BAMBAREN GASTELUMENDI said one of the fundamental concerns in drafting the guidelines must be how to encourage Governments not merely to prepare reports, but also to implement the Convention. Such implementation would require the adoption of legislation and specific programmes and the Committee should do what it could to assist countries in those areas.

Another aspect that must be taken into account was the diversity of problems encountered by States parties in complying with the provisions of the Convention. In Europe, for example, social welfare measures for children had been established long ago; in other countries, a full complement of such measures had yet to be developed.

Mr. SHAW (World Food Programme) said his organization sincerely appreciated the Committee's establishment, welcomed the work it was now doing and would do in future and wished to cooperate with it closely. The Convention was an important initiative: the most comprehensive statement of the rights of the child to date, and the first to give those rights the force of international law. More than any other single treaty, the Convention incorporated a whole spectrum of human rights and made it clear that respect for all of them was required for the full development of the individual in an atmosphere of freedom, dignity and justice. The Committee, as the first body to be charged with such an all-embracing task, was playing a pioneering role.

The momentous events in the contemporary world, particularly in Eastern Europe and the Soviet Union, would change the climate in which the Committee was to carry out the tasks entrusted to it. Seminal works by a number of different bodies would add a new perspective to the consideration of the rights of the child. He was thinking in particular of reports on poverty and economic development produced recently by the World Bank, the International Monetary Fund, the United Nations Development Programme and the World Food Council. Such works advanced the thesis that a development strategy must be adopted that was people-centred, equitable and sustainable. That approach paved the way for seeing the problems of children in terms not only of social welfare, but also of development in general and economic development in particular.

He drew attention to paragraphs 35 to 40 of the report on the first ad hoc inter-agency meeting on the implementation of the Convention (CRC/COORDINATION/R.1), which indicated how the organizations of the United Nations system envisaged the scope and content of the Committee's work. It had been recommended that a computerized data system giving country profiles but also showing dynamic trends, should be set up. The development of national policy and programme initiatives that made sense in terms of sustainable development had been stressed and the need for the identification of successful measures as well as obstacles had been emphasized.

In its work on the guidelines, the Committee would have to determine, in cooperation with Governments, what the primary unit of analysis should be. He believed that the household would be appropriate, for a child's well-being was inextricably linked with that of the household. The Committee must also take

a decision as to how its reports were to be used. He wholeheartedly agreed that the Committee was not a tribunal and its role was not to intimidate Governments. All sides stood to learn from the reporting process: States parties, international organizations, non-governmental organizations and the Committee itself. It was necessary to establish a dialogue involving all the parties and the reports should reflect that dialogue. The Committee should bring elements from as wide a range of disciplines as possible to bear on its work and the non-governmental organizations, specialized agencies and intergovernmental organizations could make useful contributions in that regard.

Mr. O'DONNELL (Defense for Children International Movement) said that he endorsed the comments on the need to look into the use of reporting guidelines by other treaty-monitoring bodies, but thought that the Committee should consider the experience of specialized agencies and individual experts as well. The Special Rapporteur on the application of international standards concerning the human rights of detained juveniles and the Special Rapporteur on the sale of children, child prostitution and child pornography were both using questionnaires that could usefully be studied. The Committee should also look at the work of the International Labour Organisation on child labour, of the International Committee of the Red Cross on monitoring legislative reform of the Geneva Conventions and of the United Nations High Commissioner for Refugees on the rights of child refugees.

The Committee was now debating whether its reporting guidelines should be short and general or lengthy and detailed. His organization had considerable experience in the use of questionnaires to obtain information from Governments and strongly believed that the correct approach was to send out detailed guidelines or a questionnaire. That encouraged States parties to give the type of information on legislation, policy objectives and statistics that the Committee needed to evaluate properly the progress being made and the obstacles to be overcome. General questions tended to receive general responses that were of little help in the evaluation process.

Questionnaires were useful, not only in eliciting information from States parties, but also in helping countries better to understand their obligations under conventions. Questionnaires must be seen as contributing to the process at the national level: valuable responses were received only when a wide range of ministries, governmental agencies and representatives of the private sector were involved. The need to help countries reply to questionnaires, which had been strongly advocated by the United Nations Children's Fund and other agencies, should be taken into account in that connection.

Within the next year, a large number of States parties would be drawing up their first periodic reports. It was therefore essential for the Committee to spend sufficient time on detailed consideration of the reporting guidelines. His organization's experience pointed to the need to consult with specialists in the substantive areas covered by a given convention. It was also necessary to compare carefully the various language versions of any questionnaire that was produced.

There was legitimate concern as to whether lengthy reporting guidelines would create exessive burdens on States parties. Yet if the Committee expected detailed reports from States parties, lengthy guidelines would be not a burden to them, but an aid. He could provide relevant documentation, if the Committee so wished, from a number of non-governmental organizations, including his own.

Mrs. BELEMBAOGO said it might be useful to incorporate some of the important ideas that were emerging from the current discussion in an introductory note to the Committee's guidelines. She proposed that a drafting group should be established to assist the Rapporteur in that endeavour.

Mrs. EUFEMIO said that a detailed questionnaire would prevent possible misinterpretations. If such a questionnaire was to be produced, the concerns of the various specialized agencies should be taken into account. Consideration should also be given to whether the family was to be the unit of analysis. She endorsed the proposal by Mrs. Belembaogo that a drafting group should be set up.

Mr. SWEPSTON (International Labour Organisation) said that his organization had extensive experience in analysing reports on the implementation of the ILO's many conventions. Having a reasonably detailed set of guidelines was important, but the guidelines must not attempt to reinterpret a given convention. They should help Governments to understand what a committee wished to know, but should not seem to establish requirements in addition to those set out in the convention.

The useful document prepared by the secretariat on statistical information raised the question whether such information should be organized on the basis of general concepts or focus on individual articles of the Convention. His organization's experience showed that the easiest approach was to focus on specific articles. It had also been found useful to incorporate the text of a convention into the guidelines so that Governments had all the information they were likely to require available in a single packet.

Mr. HAMMARBERG suggested that the Committee should focus its discussion on whether the guidelines should take the form of questions about general concepts, "clusters" of issues, or about specific articles. The ramifications of each of those approaches should be explored.

In his opinion, the best approach would be to follow the secretariat's proposed draft guidelines, which would make it easier to achieve the results mentioned by the representative of the World Food Programme. Many articles of the Convention covered the same problems and the Committee should be able to discuss the main ones in a comprehensive context. At the same time, the guidelines should be so specific that they would really help those who were drafting replies. The best solution would be to accept the groupings proposed, but to include more specific questions within each grouping.

Mrs. SANTOS PAIS said that she, too, thought that it would be advisable to follow the draft general guidelines prepared by the secretariat. In view of the experience of other treaty bodies, she had thought that it would be better to adopt an article-by-article approach. However, after considering all the information that such an approach would produce and the difficulties that States would probably face, she thought that it would be better not to adopt that method.

The Convention covered rights which were different in nature, but it contained no divisions. Human rights and the rights of the child in particular should be regarded as interrelated and indivisible and a comprehensive approach would therefore reinforce such a concept. However, she thought that it would be wise for the Committee to indicate at the beginning of the draft general guidelines that classifying the rights by groups did not imply that one particular right applied to only one particular chapter. For example, one of the most important provisions of the Convention was the right of the child to express his or her views and to have those views taken into account. It was also one of the fundamental civil rights referred to in paragraph 8 of the draft general guidelines. That was also true of other questions, such as the role of the family. It was important that the introduction to the guidelines should stress that all the rights were fundamental and inherent to the dignity of the child. The implementation of each right should take account of the implementation of or respect for all the other rights.

Mrs. EUFEMIO said that the general guidelines prepared by the secretariat enabled members to consider the Convention in a realistic manner. Logically, Governments might tend to consider the Convention article by article, as some countries had already done. She stressed the need for interpretation with regard to the articles themselves. There were some articles which could be placed together, while others would have to be considered separately.

Miss MASON said that she would prefer questions to be grouped under specific headings.

Mr. MILJETEIG-OLSSEN (UNICEF) drew attention to the Information Note on Monitoring Child Goals in the 1990s (CF/PROG/IC/91-009), which his organization had made available to the members of the Committee in May 1991. The Note related to the follow-up of the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children. Under paragraph 35 (iv) of the Plan of Action, the United Nations system was given the responsibility of instituting appropriate mechanisms for monitoring the implementation of the Plan of Action.

There was substantial overlapping between the Plan of Action and the Convention. The Plan of Action was more time-limited, while the Convention was more long-term-based. However, UNICEF had been working with other United Nations agencies to develop a strategy for monitoring the goals of the Plan of Action and it was expected to be finalized in the fall of 1991.

The appendix to the Plan of Action showed that the goals set by the World Summit covered most of the provisions of the Convention. A great deal of the information that would be collected and reported under the Plan of Action would thus be relevant to reporting on the implementation of the Convention.

Mr. SHAW (World Food Programme) said he was concerned that, in complying with the guidelines, Governments would simply go through the motions of producing reports. That must be guarded against at all costs.

At present, the guidelines lacked an important ingredient, namely, a section which gave the context into which the various elements would fall. While he saw great benefit in the cluster approach because it would bring out the synergistic effects, he thought it necessary to go even further. There were very important synergisms among and between the clusters and it was essential to consider all elements of reports taken together.

He stressed that the guidelines should provide specifically that reports must indicate, under each cluster, where success or relative success had been achieved and why and where fundamental problems existed and why, so that the Committee could begin to adopt a more analytical approach rather than a mechanical one.

He urged the Committee to pay attention to the organization of the way in which reports were produced, since they would play a vital role in the dialogue between the Committee and States parties.

Mr. KOLOSOV said that the "cluster" approach appeared to cover all the articles of the Convention adequately and had the advantage of involving the specialized agencies and non-governmental organizations in a dialogue with the Committee on a sound basis. He therefore endorsed that approach. In his view, the clusters might even be more detailed and more numerous.

The CHAIRMAN said that a consensus was emerging in favour of the cluster approach, with the possible addition of one or more clusters. She invited the Committee to consider document CRC/C/L.2 in detail.

Document CRC/C/L.2

Mrs. SANTOS PAIS noted that the introduction referred only to article 44, paragraph 1, of the Convention and not to the factors and difficulties mentioned in paragraph 2. Such a reference would be extremely useful in the case of initial reports, since they created the framework for dialogue between the Committee and State parties.

Mr. MOMBESHORA welcomed the idea put forward by the representative of the World Food Programme concerning country profiles. They would provide a more accurate picture of whether a country was actually implementing the Convention or simply maintaining the status quo.

Mr. HAMMARBERG noted that the idea of country profiles had been discussed earlier and would be of immense value. Dossiers on each country, containing country reports, statistical data and other reports on the country prepared by international agencies and NGOs, might be kept in an information centre. Country profiles might be important instruments for the work of the Committee and should be discussed in more detail. He agreed with Mrs. Santos Pais that the introduction to document CRC/C/L.2 should be expanded; it should also include the ideas raised by the representative of the World Food Programme.

The representative of the World Food Programme had also made an important point concerning the organization of reporting, which was partly, but not sufficiently, covered on page 3 of document CRC/C/L.2. In particular, more precise information concerning the advisory services available to Governments should be included in the introduction or in a cover letter sent to Governments. He was not sure about the division of labour between the Centre's advisory services programme and the activities of UNICEF and wondered whether they did not overlap.

Mrs. KLEIN (Representative of the Secretary-General) said that, in providing advisory services, the Centre always acted in response to a request for assistance from a Government. The services were then built into the Centre's existing programme, for which they had to be approved by an advisory group and reported on before the Commission on Human Rights. There was thus no possibility of overlapping with the work of UNICEF. However, the advisory services programme did cooperate with international agencies and non-governmental organizations in connection with certain regional activities.

Mr. MILJETEIG-OLSSEN (UNICEF) reassured the members that there was no possibility of overlapping between the Committee's work and that of UNICEF. UNICEF would assist Government officials in implementing the guidelines and it would leave the formal, legal framework of the Convention to the Committee and the Centre's advisory services programme.

Mrs. Santos Pais had raised a very important point concerning article 44, paragraph 2, since, during the drafting of the Convention, there had been a substantive discussion on international cooperation in implementing it. Everyone was aware that no country was perfect and all countries should be invited to present the problems they had encountered with a view to finding solutions. That was crucial to the problem-solving role of the specialized agencies.

Mrs. EUFEMIO said she wondered what the relationship would be between States' reporting obligations under the Convention and their reports under the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s. It was important not to burden Governments with the preparation of too many reports. Perhaps some agreement might be reached with UNICEF in that connection.

Mr. HAMMARBERG said that the World Summit was not the Committee's institution and, although the Plan of Action for Implementing the World Declaration referred to and supported the Convention, that did not mean that the Committee should use its text as a basis for its own discussions.

Practically speaking, however, experience under the Plan of Action would help Governments in preparing their reports to the Committee. Reports to the Committee and reports under the Plan of Action should be seen as two of many different processes, all of which converged for the benefit of children.

Mr. MILJETEIG-OLSSEN (UNICEF) pointed out that, under the Plan of Action, Governments reported not to UNICEF, but to the Secretary-General of the United Nations. The two types of reports supported each other. As he had stressed earlier, the Committee and UNICEF had to keep each other informed so that Governments would not be overburdened and could take advantage of the two reporting processes.

The CHAIRMAN noted that, although the two types of reports were interrelated, there was a clear distinction between them.

It seemed to be generally agreed that Mrs. Santos Pais and Mrs. Belembaogo should redraft the introduction to document CRC/C/L.2 in the light of the comments made by the members of the Committee and the representatives of United Nations agencies.

The meeting rose at 1 p.m.